

10/517831

DT1 Rec'd PCT/PTO 15 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Takashi SHIRAISHI et al. : **Mail Stop: PCT**  
Serial No. NEW : Attorney Docket No. 2004-1744A  
Filed December 15, 2004 :

VARIABLE-NOZZLE MECHANISM,  
EXHAUST TURBOCHARGER EQUIPPED  
THEREWITH, AND METHOD OF  
MANUFACTURING EXHAUST  
TURBOCHARGER WITH THE  
VARIABLE-NOZZLE MECHANISM  
[Corresponding to PCT/JP2003/013332  
Filed October 17, 2003]

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application  
PCT/\_\_\_\_\_; and/or
- ☐ each reference previously cited in prior parent application Serial No.  
\_\_\_\_\_.

1a. ☒ This Information Disclosure Statement is submitted:

ATTACHMENT C

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

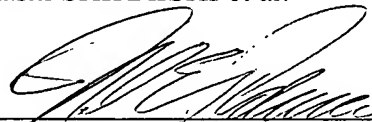
b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification

after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☒ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Takashi SHIRAISHI et al.

By 

Nils E. Pedersen  
Registration No. 33,145  
Attorney for Applicants

NEP/krp  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
December 15, 2004

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: December 15, 2004

ATTY DOCKET NO.  
2004-1744ASERIAL NO.  
W

10/517831

APPLICANT  
Takashi SHIRAISHI et al.FILING DATE  
December 15, 2004

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2,428,830	10/1947	Birmann			
	AB	2002/0098081	1/2002	Ertl et al.			
	AC	4,679,984	7/1987	Swihart et al.			
	AD	4,770,603	6/1987	Engels et al.			
	AE	5,146,752	6/1987	Bruestle			
	AF	4,804,316	2/1989				
	AG	2003/077167	4/2003				
	AH	2001/013339	8/2001				
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ	0226444A2	6/1987	EP				
	AK	1236867A2	9/2002	EP				
	AL	1120547A2	8/2001	EP				
	AM	1394363A1	3/2004	EP				
	AN							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
	AQ	

EXAMINER

DATE CONSIDERED